

Three Schemes of Land Reform has been Shaping

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Introduction

On September 29, 2014, the central leading group for comprehensive reform held the fifth meeting, and reviewed the schemes that called “About leading right to the contracted management of rural land transfer with the opinion of the moderate scale management of agriculture development” and “Pilot reform scheme about positively develop farmers’ joint-stock cooperative and giving collective asset stock power”. The suggestion was after the completion of those policies, further changes will be made according to application and approval.

Learning from the ministry of land and resources together with issues concerning agriculture, farmers and rural areas, the land expropriation system reformation, the reformation of the rural collective business’s right to use construction land flow into the market, the rural homestead system reformation, reformation of the three pilot program planned also submitted to the central before the end of September. But before the National Day holiday, minister Jiang Daming was still checking and revising these schemes. Compared with the previous reform pilot program that was led by the ministry of agriculture, the three policies led by the ministry of land and resources attracted more attention and the reform became more complex. So policy makers are also quite careful of it.

According to that, the ministry has built up the reform of the above three forming scheme, and reported that the possible way is to report the synthesis of a large rural land system reform pilot work frame, and attach three reform pilot programs.

Don’t expropriate the non-public land

Learn from the ministry, in terms of land requisition system reform the pilot reform draft clears the land for public interest out of its scope. This means that in the first half of 2015, under the premise that conforms to the planning and using control, the right to use rural collective business construction land in this pilot areas can directly flow into the market to engage in land development business and don’t have to be imposed by our country.

In terms of land requisition compensation standard, the pilot draft plan is to fully implement

an allowance arrangement system, which can distribute the landless peasants' social security fund alone from the land requisition compensation. In terms of value-added income distribution, the regulation on land requisition compensation and resettlement, on the basis of existing in a certain proportion in the income of compensated use of land shall be used for landless peasants.

Pilot program is defined such that the rural collective business limited construction land within the scope of land use planning determines the industry, according to the principle of preferred stock, incremental supplement order in the market.

Other attention from all walks of life is the homestead system reformation pilot program, and is the most mature, most recognized reform pilot program among the three programs. The highlight: Given different meanings of "one household one curtilage" rule to the homestead which are located in different areas.

Pilot plan draft puts forward to expand the outside boundaries of traditional agriculture in the urban and rural construction land, continue to carry on "one household one curtilage" and legal proportion homestead allocation system. The aim is to implement the construction of a relatively concentrated housing and carry on the "one household one curtilage" in the region where cultivated land per capita is minor and second and third industry relatively developed. In principle, no longer to scattered distribution of homestead.

Inside the expanded boundary of urban and rural construction land, the government or the collective converts the legal area of land equivalent to housing by focusing on building rural apartments, residential areas, and carry on the concept of "one household one curtilage". The farmer who has no new homestead available for distribution could use the stock of village land for construction purposes, with the support from the government centralized apartment-style residential construction, and perfect the implementation of the rural housing construction land rights and interests.

It is important to note that although reforms' overall train of thought did not break through the ban of the citizens to buy land for housing in the countryside, the scheme rules the drop out housing land inside the village can be bought back according to market price by the collective economic organizations. It can then set aside a certain area for housing land redistribution, while the rest can adjust the business for the collective construction land use.

What is right way?

Some important terms of the pilot program which was made by ministry had encountered criticism when consulted with some experts. Director of the China rural governance research center in HuaZhong University of Science and Technology who called He Xuefeng thinks that the rural collective business in the market of the right to use construction land reform too much.

“Suburban farmers in China only accounted for less than 5% of farmers, while the outer suburban farmers accounted as much as 95%. Once the land is marketed freely, the only result is 95% of the outer suburban farmers can nominally own the market, but there is no development opportunities at hand and finally all become an illusion. Five percent of the suburban farmers became unearned rentier class with something for nothing.” He Xuefeng suggested that the rural collective construction land market reform should be discussed carefully. Early to solve the problems about the idle land left over by history should enter the market that occurred after the collapse of township enterprises in Jiangsu and Zhejiang province.

The dean of national development research institute of Peking University Zhou Qiren has a different view: Although the "new land reform" may cause sort of local place forced expropriation of land, somehow the conservative strategy is not to allow farmland to enter into the market against economic needs. And in the current system “requisition and sale”, to use administrative power to destroy farmer’s legitimate property rights violations are not uncommon.

Zhou suggested that the combination of the property right reform with the constraint of power innovation is the right path of the “new land reform”.

Recently, He Xuefeng, Zhou and other experts were in a deep debate about the reform of the rural land market. Today, it is still going on.

CONCLUSION

The ministry’s attitude of promoting the reform of the three pilot is quite serious. The general rule insists to implement an operation that is small scale-conditional, with strict examination and approval, and has risk control. However, because many current environment condition is not stable, when the pilot’s time becomes uncertain, and the challenge is whether the central review will make a bigger change or not. Those things are not clear.

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